

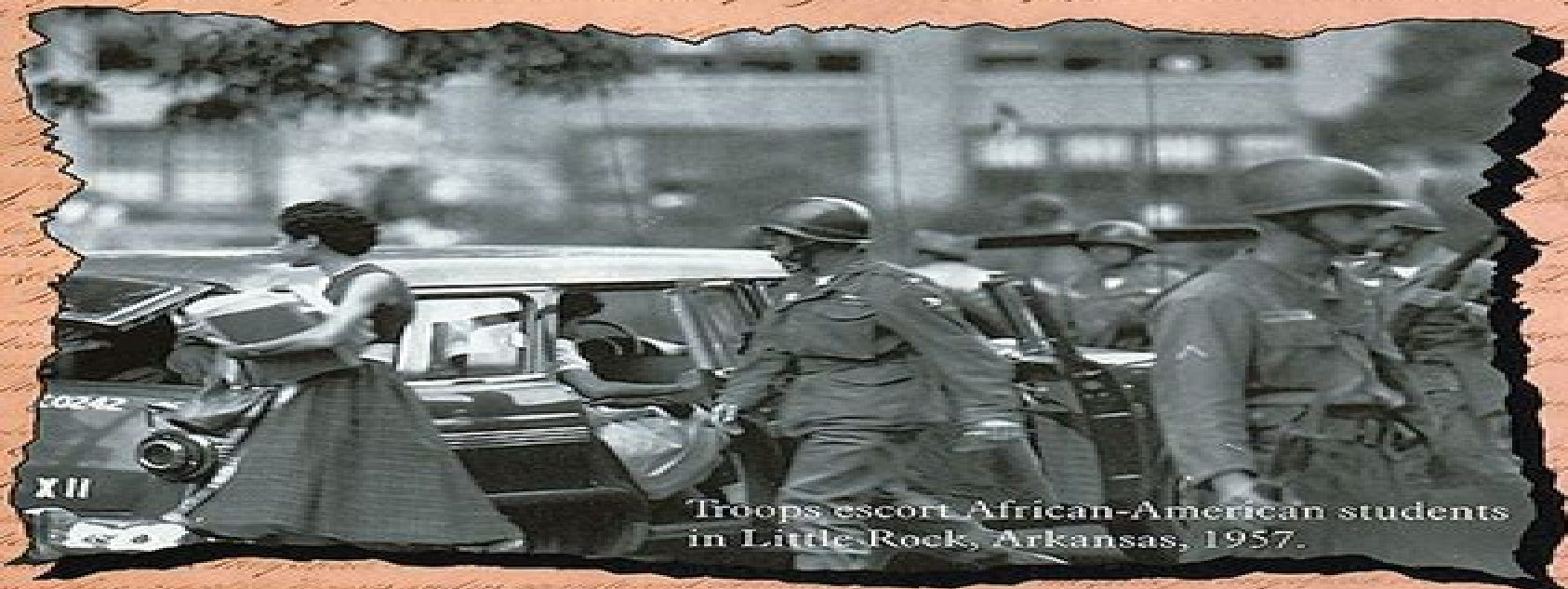
We the People



The Fourteenth Amendment

*Equal Protection Under
the Law*

David L. Hudson, Jr.



Troops escort African-American students
in Little Rock, Arkansas, 1957.

The Fourteenth Amendment Equal Protection Under The Law Constitution

Sylvia Engdahl



The Fourteenth Amendment Equal Protection Under The Law Constitution:

Equality Under the Constitution Judith A. Baer, 1983 No detailed description available for Equality under the Constitution

The Fourteenth Amendment David L. Hudson, 2002 Explains why the Fourteenth Amendment was deemed necessary describes its conception and ratification and outlines each of the amendment's five sections *Enforcing the Equal Protection Clause* William D. Araiza, 2016 For over a century Congress's power to enforce the Fourteenth Amendment's guarantee of the equal protection of the laws has presented judges and scholars with a puzzle What does it mean for Congress to enforce such a wide ranging open ended provision when the Supreme Court has insisted on its own superiority in interpreting the Fourteenth Amendment In *Enforcing the Equal Protection Clause* William D Araiza offers a unique understanding of Congress's enforcement power and its relationship to the Court's claim to supremacy when interpreting the Constitution Drawing on the history of American thinking about equality in the decades before and after the Civil War Araiza argues that congressional enforcement and judicial supremacy can co exist but only if the Court limits its role to ensuring that enforcement legislation reasonably promotes the core meaning of the Equal Protection Clause Much of the Court's equal protection jurisprudence stops short of stating such core meaning thus leaving Congress free subject to appropriate judicial checks to enforce the full scope of the constitutional guarantee Araiza's thesis reconciles the Supreme Court's ultimate role in interpreting the Constitution with Congress's superior capacity to transform the Fourteenth Amendment's majestic principles into living reality The Fourteenth Amendment's Enforcement Clause raises difficult issues of separation of powers federalism and constitutional rights Araiza illuminates each of these in this scholarly timely work that is both intellectually rigorous but also accessible to non specialist readers

Amendment XIV: Equal Protection Sylvia Engdahl, 2009-01-16 Editor Sylvia Engdahl explores a highly controversial topic the right to equal protection under the law This right grants everyone protection but we haven't always granted it equally Timely essays in this volume debate school segregation a woman's right in relation to non consent pregnancy an unborn child's rights the rights of children of illegal immigrants and gay marriage

The Original Meaning of the Fourteenth Amendment Randy E. Barnett, Evan D. Bernick, 2021-11-02 A renowned constitutional scholar and a rising star provide a balanced and definitive analysis of the origins and original meaning of the Fourteenth Amendment Adopted in 1868 the Fourteenth Amendment profoundly changed the Constitution giving the federal judiciary and Congress new powers to protect the fundamental rights of individuals from being violated by the states Yet according to Randy Barnett and Evan Bernick the Supreme Court has long misunderstood or ignored the original meaning of the amendment's key clauses covering the privileges and immunities of citizenship due process of law and the equal protection of the laws Barnett and Bernick contend that the Fourteenth Amendment was the culmination of decades of debates about the meaning of the antebellum Constitution Antislavery advocates advanced arguments informed by natural rights the Declaration of Independence and the common law They also utilized what is today called public meaning

originalism Although their arguments lost in the courts the Republican Party was formed to advance an antislavery political agenda eventually bringing about abolition Then when abolition alone proved insufficient to thwart Southern repression and provide for civil equality the Fourteenth Amendment was enacted It went beyond abolition to enshrine in the Constitution the concept of Republican citizenship and granted Congress power to protect fundamental rights and ensure equality before the law Finally Congress used its powers to pass Reconstruction era civil rights laws that tell us much about the original scope of the amendment With evenhanded attention to primary sources The Original Meaning of the Fourteenth Amendment shows how the principles of the Declaration eventually came to modify the Constitution and proposes workable doctrines for implementing the key provisions of Section 1 of the Fourteenth Amendment **The Arc of Due Process in American**

Constitutional Law E. Thomas Sullivan,Toni M. Massaro,2013-07-04 In The Arc of Due Process in American Constitutional Law Sullivan and Massaro identify the historical underpinnings of due process while describing the evolution of the American due process doctrine **A Treatise on the Rights and Privileges Guaranteed by the Fourteenth Amendment to the**

Constitution of the United States Henry Brannon,1901 *Constitutional Law in the United States* Robert A. Sedler,2017-10-20 Derived from the renowned multi volume International Encyclopaedia of Laws this very useful analysis of constitutional law in the United States provides essential information on the country s sources of constitutional law its form of government and its administrative structure Lawyers who handle transnational matters will appreciate the clarifications of particular terminology and its application Throughout the book the treatment emphasizes the specific points at which constitutional law affects the interpretation of legal rules and procedure Thorough coverage by a local expert fully describes the political system the historical background the role of treaties legislation jurisprudence and administrative regulations The discussion of the form and structure of government outlines its legal status the jurisdiction and workings of the central state organs the subdivisions of the state its decentralized authorities and concepts of citizenship Special issues include the legal position of aliens foreign relations taxing and spending powers emergency laws the power of the military and the constitutional relationship between church and state Details are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance Its succinct yet scholarly nature as well as the practical quality of the information it provides make this book a valuable time saving tool for both practising and academic jurists Lawyers representing parties with interests in the United States will welcome this guide and academics and researchers will appreciate its value in the study of comparative constitutional law **The Constitution of**

the United States of America United States,1923 **Constitutions of 1875 and 1901** Alabama,James Jefferson

Mayfield,1918 **The Fourteenth Amendment and the States** Charles Wallace Collins,2013-11-21 THE studies here presented are the outgrowth of a paper read before the Government Club of Harvard University in February 1911 Some of them have within recent months appeared in substantially their present form in certain of the academic and legal journals In

the preparation of the statistical material the author has made no use of the current digests of decisions annotations to the Constitution nor of the indices to the Supreme Court Reports except by way of comparison of results He has gone directly to the body of the Reports and given each case a personal examination Much repetition will be found throughout the work This may detract from its logical unity but it is hoped that it may serve some purpose The true nature of the Fourteenth Amendment to the Constitution of the United States is little known The processes of its operation are intricate and complex This reiteration therefore of certain salient features may not be amiss in serving to render more familiar a subject that although not new historically has been scantily discussed The author's thanks are due to the editors of the following periodicals for the courtesy of extending to him the copyright privileges for the use of the material vii VUI PREFACE in the chapters mentioned below The American Law Review for Chapters V and VI the Yale Law Journal for Chapter VII the Columbia Law Review for Chapter VIII and the South Atlantic Quarterly for Chapter X

Equal Protection David L. Hudson Jr., 2018-06-08 This book uses primary sources to closely examine the Equal Protection Clause of the Fourteenth Amendment and to show how legal interpretations of it have had a profound impact on American life as we know it The Fourteenth Amendment addresses many aspects of American citizenship including the rights of citizens The most commonly used and frequently litigated phrase in the amendment is equal protection of the laws This phrase has figured prominently in a plethora of landmark cases in U S history dealing with a variety of issues including Brown v Board of Education racial discrimination Roe v Wade reproductive rights Bush v Gore election recounts Reed v Reed gender discrimination University of California v Bakke racial quotas in college admissions and Obergefell v Hodges gay marriage This book closely examines the history and development of the Equal Protection Clause and details the many ways in which it has shaped U S history Selections show how the equal protection clause came into being in the post Civil War era feature seminal Supreme Court decisions on the nature and extent of applications of the equal protection clause in American life and law through the years and include documents that consider the impact that the equal protection clause has had and may have on American society in the 21st century

The Constitution and the Courts: Notes on Article II to Amendment XIX, 1924 **Constitutional Law** Charles William Gerstenberg, 1927 **Due Process of Law and the Equal Protection of the Laws** Hannis Taylor, 1917 *The Fourteenth Amendment* William E. Nelson, 2009-06-01 In a remarkably fresh and historically grounded reinterpretation of the American Constitution William Nelson argues that the fourteenth amendment was written to affirm the general public's long standing rhetorical commitment to the principles of equality and individual rights on the one hand and to the principle of local self rule on the other

Frame v. Nehls, 452 MICH 171 (1996), 1996 102139 **The Pacific Reporter**, 1921 **The Law of the American Constitution** Charles Kellogg Burdick, 1922 *Reports of Cases Decided in the Supreme Court of the State of Oregon* Oregon. Supreme Court, 1925

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